

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

**DEBRA SPERO, as Natural Mother of
V.S., an infant,**

Plaintiffs,

v.

**VESTAL CENTRAL SCHOOL DISTRICT
BOARD OF EDUCATION, VESTAL CENTRAL
SCHOOL DISTRICT, JEFFREY AHEARN,
Superintendent of Schools, ALBERT A. PENNA,
Interim Principal of Vestal High School,
DEBORAH CADDICK and CLIFFORD KASSON,
in their Individual and Official Capacities,**

Defendants,

**REPLY AFFIDAVIT OF CLIFFORD
KASSON**

Civil Action No.: 3:17-cv-00007
(GTS/DEP)

STATE OF NEW YORK)
) ss.:
COUNTY OF BROOME)

CLIFFORD KASSON, being duly sworn, deposes and says:

1. I am an assistant superintendent of schools for Defendant Vestal Central School District (hereinafter "District"). At the times pertinent to this reply affidavit, I was an assistant principal at the District's high school. I make this reply affidavit of my own personal knowledge and am fully competent to testify as to all matters herein.

2. In my previous affidavit I attested that the flood of calls and reports concerning Plaintiff's posting of video of a gun on Snapchat, in the context of his angry and accusatory tweets about the District on Twitter, was so constant that the administrators and our staff did not even have time to record what calls and reports came in, and we had all we could handle just

responding to tell each individual that the issue had come to our attention and we were addressing it.

3. I am advised that Plaintiffs' attorneys now argue that my testimony on this point was hearsay. I make this reply affidavit to clarify that my prior affidavit was made upon personal knowledge.

4. My office was a smaller room within the larger assistant principals' office area. The two assistant principals' secretaries are situated just outside my office in the larger assistant principals' office area. My office door was open for much of the afternoon of December 8, 2016. From within my office I can hear what is going on in the assistant principals' office area. I also spent time in and walked through the larger assistant principals' office area that afternoon, and was able to view what was going on.

5. On the afternoon of December 8, 2016, I myself heard (and in some cases saw) the secretaries answering numerous telephone calls, and from the secretaries' comments during the calls, could tell they were speaking to parents of District students. I do not remember the names of the parents at this time, as there was not time to keep a record of everything going on. Further, from the secretaries' side of conversations, I could tell they were speaking to parents who were concerned about Plaintiff Vincent Spero's posting of a gun video, because they were reassuring the parents that the District was aware of the gun video issue and was addressing it.

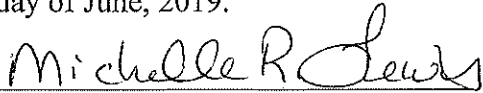
6. I further heard and saw students come in to the area where the secretaries were located and express concern about Plaintiff's posting of a gun video.

7. I also heard and saw teachers and other staff come in to the area where the secretaries were located and express concern about the gun video. In some cases they described disruption that was occurring in the high school as a result of the gun video. I do not remember

all of the individuals' identities, but I do specifically remember teachers Brian Donlon and Pete Durham reporting disruption in their classrooms from the gun video that afternoon.


Clifford Kasson

Sworn to before me this 21st
day of June, 2019.


Notary public

MICHELLE R. LEWIS
NOTARY PUBLIC-STATE OF NEW YORK
No. 01LE6369888
Qualified in Tioga County
My Commission Expires 01-22-2022